



**PRELIMINARY NOTICE OF REJECTION OF THE IPO**  
**(TRANSLATION)**

Issuance Date: 17 December 2003

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**SUBJECT:**

After examination, the IPO considers that the subject ROC (Taiwan) Patent Application No. 090132759 has the indefinite points as indicated in the following EXPLANATION (3). The applicant is required to file a response in duplicate by 13 February 2004 if any substantive counter-evidence or arguments are present. If the applicant fails to act according to the notice within the time limit, the IPO shall proceed with the examination on the basis of the materials on hand.

**EXPLANATION:**

- (1) If the applicant wishes to make amendments, the applicant should act according to the provisions of the Patent Law, Article 44, the Enforcement Rules of the Patent Law, Article 28, and the Announcement Jyh-Fa No. 0918600118-0 issued on 8 November 2002 by this Office, and a government fee of NT\$1,000 for amendment should be paid. (If the applicant makes supplements or amendments to the specification or drawings, a written application for such supplements or amendments in duplicate, a marked-up version of the amended specification or drawing pages in duplicate, and a non-marked-up, replacement version of the amended specification or drawing pages in triplicate shall be submitted. If the supplements or amendments render the page numbers of the original specification out of succession, the whole specification with the supplements or amendments in triplicate shall be submitted.)
- (2) If the applicant wishes to appear before the IPO for a face-to-face demonstration or explanation, please explicitly indicate "Interview Requested" in the response. The place and time for conducting an interview will be arranged if the IPO considers it necessary and a government fee of NT\$2,000 should be paid.
- (3) Upon examination, it is considered that:
  - (a) The amendments, made to the claims in November 2002, do not change the substance of the invention and are allowed. The subject application is

- 2 -

examined on the basis of the amended claims. It is stressed in the re-examination brief that the antireflective coating is a multilayer coating, wherein the first layer is free of magnesium fluoride, and is used for ultraviolet light in a wavelength range.

- (b) As described in the subject application, the first layer of the multilayer coating, formed from aluminum oxide alternating with magnesium fluoride, is not made of magnesium fluoride, and the multilayer coating is used as an antireflective coating for ultraviolet light. The foregoing structure and technology are known and used in the prior art references, e.g., US 6,030,717 (see Attachment 1) and US 5,061,874 (see Attachment 2).

( ) Given the above, the subject invention is obvious in view of the known technology and knowledge and can be easily accomplished. The subject invention does not have an inventive step.

正本

# 經濟部智慧財產局專利再審查案核駁理由先行通知書

受文者：卡爾塞斯半導體製造科技公司（代理人：陳長文 先生）

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發文日期：中華民國九十二年十二月十七日

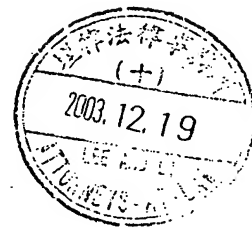
發文文號：（九二）智專三（一）02016字  
第〇九二二二一八一五五〇號

主旨：第〇九〇一三二七五九號專利再審查案經審查後發現尚有如說明三所述不明確之處，台端（貴公司）若有具體反證資料或說明，請於文到次日起六十日內提出申復說明及有關反證資料一式二份。若屆期未依通知內容辦理者，專利專責機關得依現有資料續行審查，請查照。

說明：

- 一、本案如有修正應依專利法第四十四條、專利法施行細則第二十八條及本局九十一年十一月八日智法字第〇九一八六〇〇一一八—〇號公告之規定辦理並繳修正規費新台幣一千元正（如有補充、修正說明書或圖式者，應備具補充、修正申請書一式二份，並檢送補充、修正部份劃線之說明書或圖式修正頁一式二份及補充、修正後無劃線之說明書或圖式替換頁一式三份；如補充、修正後致原說明書或圖式頁數不連續者，應檢附補充、修正後之全份說明書或圖式一式三份至局）。
- 二、若希望來局當面示範或說明，請於申復說明書內註明「申請面詢」，本局認為有必要時，另安排地點、時間舉辦「面詢」，並繳交規費新台幣二千元正。
- 三、本案經審查認為：

（一）本案九十一年十一月二十一日修正之申請專利範圍未變更實質內容，准予修正，現依該內容審查。再審查理由書中強調，抗反射膜為多層膜，第1層膜不含氟化鎂，而且為使用於紫外



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光波長域者。

(二) 本案所述，由氧化鋁、氟化鎂交錯形成多層膜，第1層膜不為氟化鎂，且使用於紫外光做為抗反射膜之結構及技術，均為習知且習用者，如US 6030717（如附件1）、5061874（如附件2）。

綜上所述，本案所述內容為由習用技術、知識所顯而易知且易於完成者，不具進步性。

## 經濟部智慧財產局